

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEPHEN J. CUTTY,
Plaintiff,

v.

DAVID A. MECHAM,
Defendant.

Case No. 1:23-cv-01311-JLT-EPG

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

On September 5, 2023, Plaintiff, proceeding *pro se*, filed this civil action. (ECF No. 1). As it appears that this action should have been filed in the Sacramento Division of the United States District Court for the Eastern District of California, the Court will transfer the case to the Sacramento Division.

Pursuant to Local Rule 120(d), “[a]ll civil and criminal actions and proceedings of every nature and kind cognizable in the United States District Court for the Eastern District of California arising in . . . Sacramento . . . shall be commenced in the United States District Court sitting [in] Sacramento, California. . . .”

In the complaint, Plaintiff generally alleges that Defendant violated Federal law concerning a disputed debt Defendant entered into his consumer credit report. Nowhere in the complaint does Plaintiff identify facts directly showing that this case arises in the Fresno Division. Rather, Plaintiff states “that the causes of action herein alleged took place at Defendant’s place of business located in the County of Sacramento, State of California.” (ECF

No. 1, p. 1). Sacramento County is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, based on the information available, the complaint should have been filed in the Sacramento Division.

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the Court's own motion, be transferred to the proper court. Therefore, this action will be transferred to the Sacramento Division.

Good cause appearing, IT IS ORDERED that:

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and

2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

IT IS SO ORDERED.

Dated: September 6, 2023

/s/ Eric P. Shoup
UNITED STATES MAGISTRATE JUDGE